

This letter describes documentation requirements under the Motor Fuel Tax Law. See 86 Ill. Adm. Code 500.345 and 500.235. (This is a GIL).

October 17, 2001

Dear Xxxxx:

This letter is in response to your letter dated August 16, 2001. The nature of your letter and the information you have provided require that we respond with a General Information Letter, which is designed to provide general information, is not a statement of Department policy and is not binding on the Department. See 2 Ill. Adm. Code 1200.120 subsections (b) and (c), which can be found at <http://www.revenue.state.il.us/legalinformation/regs/part1200>.

In your letter, you have stated and made inquiry as follows:

XXX is requesting a ruling on Electronic Filing. Is Electronic Filing an acceptable means of record keeping for the documents associated with I.F.T.A. reporting? The documents would include Trip Reports, Fuel Receipts, Toll Receipts, and Etc. If Electronic Filing is acceptable, can the original documents be disposed of, or do they need to be retained for a certain time frame? Also, would this ruling apply for ALL the states in the I.F.T.A. Program?

Thank you in advance for your time and considerations.

We assume that what you mean by "electronic filing" is electronic records retention. (There are currently no electronic filing requirements with the Department for IFTA taxpayers.) The IFTA Procedures Manual provides that licensees are required to preserve the records upon which the quarterly tax return is based for four years from the return due date or filing date, whichever is later, plus any time period included as a result of waivers or jeopardy assessments. Records may be kept on microfilm, microfiche, or other computerized or condensed record storage system acceptable to the base jurisdiction. See the IFTA Procedures Manual at P510. The Department of Revenue's Motor Fuel Tax Law regulations also provide that records may be kept on microfilm, microfiche, or other computerized or condensed record storage system. See 86 Ill. Adm. Code 500.345, copy enclosed, for further details.

For your information, we also refer you to Section 500.235 of the Motor Fuel Tax regulations, copy enclosed, regarding claims for refund of Motor Fuel Tax. The Department will not approve claims for refund of Motor Fuel Tax unless such claims can be directly supported by invoices, sales slips, statements of account, or monthly statements. Reproductions may be submitted in lieu of originals, provided they are legible. The Department may require original purchase documentation to verify purchases. Purchase documentation may be electronically generated by the claimant's fuel supplier. Electronically generated purchase documentation shall meet all applicable electronic storage requirements of Sections 130.805 and 130.825 of the Retailers' Occupation Tax regulations (86 Ill. Adm. Code 130). Manifests will not be treated as purchase documentation.

I hope this information is helpful. The Department of Revenue maintains a Web site, which can be accessed at www.revenue.state.il.us. If you have further questions related to the Illinois sales tax laws, please contact the Department's Taxpayer Information Division at (217) 782-3336.

If you are not under audit and you wish to obtain a binding Private Letter Ruling regarding your factual situation, please submit all of the information set out in items 1 through 8 of the enclosed copy of Section 1200.110(b).

Very truly yours,

Martha P. Mote
Associate Counsel

MPM:msk
Enc.